


marked-up copy of all amendments to the specification is attached to this Preliminary Amendment as Exhibit A.

In view of the foregoing, Applicant respectfully requests the thorough and complete examination of this application and earnestly solicits an early notice of allowance.

Respectfully submitted,

JENKENS & GILCHRIST, ~~PC~~
A Professional Corporation

A handwritten signature in black ink, appearing to read "Ross T. Robinson", with a long horizontal flourish extending to the right.

Ross T. Robinson
Reg. No. 47,031

1445 Ross Avenue, Suite 3200
Dallas, Texas 75202-2799
(214) 855-7300
(214) 855-4300 (fax)



EXHIBIT A

Marked up copy of changes to specification:

Please amend the paragraph at p. 9, lns. 2-13 to read as follows:

If branch performance changes slowly, it would be desirable to measure quality of an entire available channel bandwidth. Measurement of the entire available bandwidth reveals if there are any parts of the channel that should be avoided because of the presence of static interference and also shows which parts of the channel are performing well and which are performing poorly due to frequency-selective fading. A system that can exploit the latter has been described in the application "Resource management in uncoordinated frequency hopping system," U.S. Patent Application No. 09/385,024, which was filed August 30, 1999 and is incorporated herein by reference. U.S. Provisional Patent Application No. [60/244,766] 60/244,776, entitled "Method and Apparatus for Dynamic Carrier Selection" and filed on October 31, 2000, describes, inter alia, creation of a list of candidate carriers from which a best carrier is chosen, and is incorporated by reference.

Please amend the paragraph at p. 10, lns. 12-19 to read as follows:

An algorithm for measuring the branches, where in fact the branches are different carriers, and creating a candidate list that can be used in the event that a currently-used carrier's performance becomes bad, is described in Application No.

[60/244,766] 60/244,776. A determination of when a currently-used branch's performance should be deemed unacceptable and how to predict whether a branch's performance will become unacceptable in the near future, including a mechanism that can be used to determine if and when it is a good time to switch to another diversity branch, will now be described.